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21 *Attorneys for Defendants C. R. Bard, Inc. and  
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22 UNITED STATES DISTRICT COURT

23 DISTRICT OF ARIZONA

24 IN RE: Bard IVC Filters Products Liability  
25 Litigation,

No. 2:15-MD-02641-DGC

26 **THE PARTIES' JOINT REPORT ON  
THE SETTLEMENT STATUS OF  
27 CASES**  
28

Pursuant to Case Management Order No. 42 (Docs. 164343 & 20954), the parties submit this monthly report concerning the settlement status of cases pending in this MDL. Since the date of the last amended report (Doc. 21410) filed on January 21, 2020, there have been very few changes. The only changes are as follows:

### **I. EXHIBIT D**

The following additional case has settled, and should be added to Exhibit D (Doc. 21410-4), which lists “Cases That Have Now Settled and Should Remain in Track 2 until May 1, 2020”:

<b>Caption</b>	<b>Transferee jurisdiction</b>	<b>PL Counsel</b>
Ashley Carter v. C. R. Bard, Inc. and Bard Peripheral Vascular, Inc., United States District Court, District of Arizona, Phoenix Division CV-16-01852-PHX-DGC	W.D.Mich.	Bohrer Brady LLC

### **II. EXHIBIT G**

The following cases that were previously listed on Exhibit G (cases which have never been served on the defendants) have now been served on defendants and, therefore, should be remanded and/or transferred to the Courts indicated below:

<b>Caption</b>	<b>Transferee jurisdiction</b>	<b>PL Counsel</b>
Darleen Collins and Richard Collins v. C. R. Bard, Inc. and Bard Peripheral Vascular, Inc., United States District Court, District of Arizona, Phoenix Division, CV-19-04088-PHX-DGC	USDC IN, Northern District	Fears Nachawati Law Firm
Richard Fatony and Patricia Fatony v. C. R. Bard, Inc. and Bard Peripheral Vascular, Inc., United States District Court, District of Arizona, Phoenix Division, CV-19-04252-PHX-DGC	USDC WV, Southern District	Fears Nachawati Law Firm
Joseph P. McTommonney, Jr. and Deborah S. McTommonney v. C. R. Bard, Inc. and Bard Peripheral Vascular, Inc., United States District Court, District of Arizona, Phoenix Division, CV-18-02618-PHX-DGC	USDC FL, Southern District	Blizzard Law, PLLC
Richard Phillips v. C. R. Bard, Inc. and Bard Peripheral Vascular, Inc., United States District Court, District of Arizona, Phoenix Division, CV-17-03386-PHX-DGC	USDC MO, Western District	Law Offices of Baird Brown

### III. EXHIBIT H

The following case was previously listed on Exhibit H (no PPF or deficient PPF) has now been dismissed:

Caption	PL Counsel
Scott Stafford v. C. R. Bard, Inc. and Bard Peripheral Vascular, Inc., United States District Court, District of Arizona, Phoenix Division, CV-19-04079-PHX-DGC,	Fears Nachawati Law Firm

The following cases were also previously listed on Exhibit H (no PPF or deficient PPF):

Caption	Transferee jurisdiction	PL Counsel
Ronnie Beachum v. C. R. Bard, Inc. and Bard Peripheral Vascular, Inc., United States District Court, District of Arizona, Phoenix Division, CV-18-04653-PHX-DGC	USDC NJ	Dalimonte Rueb Stoller, LLP

The PPF in the *Beachum* case has now been served and the case therefore should be remanded and/or transferred to the above-referenced Court.

### II. EXHIBIT I

The defendants have learned that two cases were erroneously listed on Exhibit I as cases where diversity jurisdiction does not exist. The plaintiffs' counsel in those two cases have brought it to the defendants' attention that, while the plaintiffs in those cases are indeed residents of Arizona, only C. R. Bard, Inc. is listed as a defendant. Accordingly, diversity of citizenship appears to exist in those cases, and they should be "transferred" to the District of Arizona. The specific cases are the following:

Caption	Plaintiffs Law Firm	Reason why Diversity Exists
Jeanne Hunt v. C. R. Bard, Inc. and Bard Peripheral Vascular, Inc., United States District Court, District of Arizona, Phoenix Division, CV-19-00011-PHX-DGC	McSweeney Langevin, LLC	Plaintiff is resident of Arizona. <b>Case names <u>only</u> C.R. Bard, Inc.</b>

Caption	Plaintiffs Law Firm	Reason why Diversity Exists
Michael Parr v. C. R. Bard, Inc. and Bard Peripheral Vascular, Inc., United States District Court, District of Arizona, Phoenix Division, CV-18-04797-PHX-DGC	McSweeney Langevin, LLC	Plaintiff is resident of Arizona. <b>Case names <u>only</u> C.R. Bard, Inc.</b>

As in the past, the defendants also request that the remand/transfer order for these cases specifically preserve their right to challenge venue and person jurisdiction upon remand, as the Court did in the previous remand/transfer order. (Doc. 19899).

Respectfully submitted, this 3<sup>rd</sup> day of February, 2020.

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**CERTIFICATE OF SERVICE**

I hereby certify that on February 3, 2020 the foregoing was electronically filed with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to all attorneys of record.

/s/ Richard B. North

